

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:19-CR-506-1H

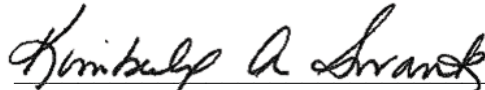
UNITED STATES OF AMERICA  
  
v.  
  
GILBERTO ESPINAL ESCAMILLA,  
  
Defendant.

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**ORDER**

This matter is currently scheduled for Defendant's arraignment on December 7, 2020. The court has recently been made aware of a COVID-19 outbreak at the Pitt County Detention Center where Defendant is housed. Based upon that information, the court determines that Defendant's arraignment hearing cannot be conducted in person without seriously jeopardizing the health and safety of Defendant, counsel, court personnel, and the public generally due to the potential spread of COVID-19. Accordingly, the court DIRECTS counsel to confer and inform the court, **no later than December 3, 2020**, whether there are specific reasons that the hearing cannot be delayed without serious harm to the interests of justice such that the hearing should be conducted via video or teleconference with Defendant's consent. *See* CARES Act, H.R. 748, Pub. L. No. 116-136; *In re Video Conferencing for Criminal Proceedings under the CARES Act* and in Light of the COVID-19 Pandemic, 20-SO-11 (Sept. 17, 2020).

This 1st day of December 2020.

  
KIMBERLY A. SWANK  
United States Magistrate Judge